

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

GREGORY DUANE BAYLESS,)
Plaintiff,)
v.)
STATE OF INDIANA,)
DECATUR COUNTY JAIL,)
Defendants.)
No. 2:19-cv-00467-JPH-MJD

ORDER ON MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Gregory Duane Bayless's motion for leave to proceed *in forma pauperis*, dkt. [7], is granted. Because the Court finds that Mr. Bayless does not have the assets or means to pay even an initial partial filing fee, prepayment of the fee is excused. Because the Prison Litigation Reform Act mandates that a prisoner will not be prohibited from bringing a civil action for the reason that he lacks the assets and means to pay an initial partial filing fee, 28 U.S.C. § 1915(b)(4), Mr. Bayless has been granted a waiver of payment of an initial partial filing fee. He is still obligated, however, to pay the full filing fee pursuant to the statutory formula set forth in 28 U.S.C. § 1915(b)(2). *See id.* § 1915(b)(1). “All [28 U.S.C.] § 1915 has ever done is excuse *pre*-payment of the docket fees; a litigant remains liable for them, and for other costs, although poverty may make collection impossible.” *Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1025 (7th Cir. 1996).

The amended complaint will be screened by separate order.

SO ORDERED.

Date: 11/8/2019

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

Gregory Duane Bayless
242464
Wabash Valley Correctional Facility - Inmate Mail/Parcels
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